

106th TN General Assembly

First Regular Session



Wednesday, May 6, 2009

SENATE

COMMITTEE REPORTS

FINANCE, WAYS & MEANS – SHR #12 – 8:00 a.m. –

Rec. for pass., ref to Calendar – SB's 1088, 2169, 453, 531, 1312, 1916, 2279.

Rec. for pass. if am., ref to Calendar – SB's 973, 977.

Rec. for concur., ref to Calendar – HJR 27.

Action def. – SB's 41, 53, 473, 529, 872, 1099, 1201, 1504, 1934, 2162, 2300, 2315, SR 26, SB 1684.

GENERAL WELFARE, HEALTH & HUMAN RESOURCES – SHR #12 – 10:00 a.m. –

Rec. for pass. if am., ref to Calendar – SB's 2247, 1956.

Rec. for pass. if am., ref to FW&M – SB 470.

Action def. – SB 2104, SJR 72, SB's 2297, 2275, 988, 2089, 2071, 2072, 726, 644, 645, 1495, 1716, 778, 806, 1786, 1787, 1788, 2314, 416, 1121, 2132, 451.

Ref. to Gen. Sub. – SB's 752, 2013, 1179, 1146, 767, 1584, 455, 2004, 638, 54, 1284, 1238, 1241, 425, 1729.

GOVERNMENT OPERATIONS – SHR #12 – 1:00 p.m. –

Committee did not meet.

JUDICIARY – SHR #12 – 2:00 p.m. –

Rec. for pass., ref to Calendar – SB's 1776, 1804, 1666

Rec. for pass. if am., ref to Calendar – SB's 1769, 19

Rec. for pass., ref to FW&M – SB's 900, 1519, 1557

Rec. for pass. if am., ref to FW&M – SB's 976, 901

Action def- SB's 1912, 781, 782, 783, 784, 1573, 2114, 1715, 2168, 1806, 1807, 1638, 10, 539, 1419, 520, 534, 1650, 1529, 1530, 2015, 1589, 1141, 869, 260, 1908, 2334, 1830, 1831, 1832, 1834, 2236, 2248, 1827, 803, 1707, 2341, 2295, 35, 39, 1063, 1066, 1751, 925, 926, 927, 1094, 1095, 674, 70, 189, 197, 1243, 1244, 1253, 1263, 1267.

Ref. to Gen. Sub. – SB's 1784, 1805, 1812, 244

CALENDARS FOR THURSDAY, MAY 7, 2009

Consent

1. SJR 0357 by *Berke

Memorials, Recognition - Jack Murrah, Governor's Arts Leadership Award -

2. SJR 0358 by *Black

Memorials, Recognition - David A. Doyle, President of the Tennessee District Public Defenders Conference -

3. SJR 0359 by *Tracy

Memorials, Retirement - Sarah Helene Woodard Lusty -

(Consent Calendar cont.)

- 4. SJR 0360 by *Black**
Memorials, Interns - William Talley Ridley -
- 5. SJR 0361 by *Kyle**
Memorials, Academic Achievement - Mary Carnes, Valedictorian, Westminster Academy -
- 6. SJR 0362 by *Kyle**
Memorials, Academic Achievement - Amy Katherine Smith, Salutatorian, Westminster Academy
- 7. SJR 0363 by *Harper**
Memorials, Recognition - Miss Black Tennessee Scholarship Pageant -
- 8. SJR 0364 by *Burchett**
Memorials, Death - Allison Brundick Haramis -
- 9. SJR 0366 by *Burchett, Woodson, McNally**
Memorials, Recognition - Scott Davis -
- 10. SJR 0367 by *Black**
Memorials, Recognition - Donald L. Samuels -
- 11. SJR 0368 by *Overbey**
Memorials, Academic Achievement - Justin Alexander, Salutatorian, Heritage High School -
- 12. SJR 0369 by *Overbey**
Memorials, Academic Achievement - Holly Reagan, Valedictorian, Heritage High School -
- 13. SJR 0370 by *Overbey**
Memorials, Academic Achievement - Sara Stanfill, Salutatorian, Gatlinburg-Pittman High School
- 14. SJR 0371 by *Overbey**
Memorials, Academic Achievement - Ida Rose Wellborn, Valedictorian, Gatlinburg-Pittman High School -
- 15. SJR 0372 by *Overbey**
Memorials, Academic Achievement - James Nathan Cantrell, Valedictorian, Gatlinburg-Pittman High School -
- 16. SJR 0373 by *Overbey**
Memorials, Academic Achievement - Brooke McCarter, Salutatorian, Pigeon Forge High School -
- 17. SJR 0374 by *Overbey**
Memorials, Academic Achievement - Molly Brackins, Salutatorian, Pigeon Forge High School -
- 18. SJR 0375 by *Overbey**
Memorials, Academic Achievement - Alex Stinnett, Valedictorian, Pigeon Forge High School -
- 19. SJR 0376 by *Overbey**
Memorials, Academic Achievement - Julia Huskey, Valedictorian, Pigeon Forge High School -
- 20. SJR 0377 by *Finney L**
Memorials, Retirement - Kelly Holmes -
- 21. SJR 0378 by *Kyle**
Memorials, Death - John Pitts -
- 22. SJR 0379 by *Yager**
Memorials, Recognition - James M. Henry -
- 23. SJR 0380 by *Crowe**
Memorials, Retirement - Ruth R. Goodwin -
- 24. SR 0115 by *Faulk**
Memorials, Academic Achievement - Amanda West, Academic Achiever, Volunteer High School
- 25. SR 0116 by *Faulk**
Memorials, Academic Achievement - Chelsea Padgett, Academic Achiever, Volunteer High School -
- 26. HJR 0398 by *Watson**
Memorials, Recognition - Recognizing the individuals involved in the Kathleen Wrinkly case. -
- 27. HJR 0399 by *Shepard, Tidwell**
Memorials, Academic Achievement - Cofie Tyler Toy, Valedictorian, East Hickman High School
- 28. HJR 0400 by *Shepard, Tidwell**
Memorials, Academic Achievement - Erica Leigh Winfrey, Salutatorian, East Hickman High School -

(Consent Calendar cont.)

29. HJR 0401 by *Cobb T

Memorials, Retirement - Janet Earwood -

30. HJR 0403 by *Harrison

Memorials, Retirement - Melville Bailey -

31. HJR 0404 by *Hensley

Memorials, Professional Achievement - Mike Gladney, 2008 Dispatcher of the Year -

32. HJR 0405 by *Hensley

Memorials, Personal Achievement - Atticus Wright, Governor of American Legion Boys' State -

33. HJR 0406 by *Turner M

Memorials, Recognition - Turner Williams -

34. HJR 0407 by *Turner M

Memorials, Recognition - Jim Tucker -

Regular

1. SB 0206 by *Berke (*HB 0214 by *Harmon)

Beer - As introduced, corrects definitional cross-reference for "beer wholesalers" under beer distribution licensing law. - Amends TCA Title 57, Chapter 5, Part 1.

2. *SB 0310 by *Berke (HB 1534 by *Dean, Harmon, Bass)

Bail, Bail Bonds - As introduced, removes requirement that a list of bondsmen posted in a correctional facility must be done in order of seniority. - Amends TCA Section 40-11-126(b).

3. SB 0417 by *Marrero B (*HB 0324 by *Jones S)

Education - As introduced, restates provisions governing reporting of suspected child abuse by personnel of educational institutions and release of related records. - Amends TCA Title 10; Title 37 and Title 49.

4. *SB 0449 by *Overbey (HB 0968 by *McCord)

Law Enforcement - As introduced, permits a municipality located in an urban area with an accredited police department to enforce, without restriction, traffic laws on all types of highways located within the municipality. - Amends TCA Title 55, Chapter 10, Part 3.

5. *SB 0518 by *McNally, Woodson, Burchett (HB 1700 by *Watson)

Criminal Procedure - As introduced, enacts the "Exclusionary Rule Reform Act." - Amends TCA Title 24, Chapter 7 and Title 40, Chapter 17.

6. SB 0538 by *Ketron (*HB 0413 by *Bass)

Animals and Animal Cruelty - As introduced, deletes requirement persons selling dogs and cats at a flea market obtain a license as a dealer from the department of agriculture. - Amends TCA Title 44, Chapter 17, Part 1.

7. SB 0578 by *Jackson, Crowe (*HB 0390 by *Fincher, Evans, Lollar, Roach, Ford, Dean, Todd, Rich, Eldridge, Moore, Montgomery, Fraley, Hensley, Niceley, McCormick)

Handgun Permits - As introduced, permits handgun carry permit holders to possess or carry a loaded rifle, loaded shotgun, or loaded magazine or clip therefore while in a motor vehicle. - Amends TCA Title 39, Chapter 17.

8. *SB 0605 by *Burchett, Woodson (HB 1603 by *Brooks H)

Municipal Government - As introduced, authorizes municipalities having a population of at least 100,000 to establish an ordinance and permitting process that would enable restaurants to allow admittance of patron companion dogs into designated outdoor dining areas. - Amends TCA Title 4, Chapter 3, Part 18 and Title 6, Chapter 54.

9. *SB 0772 by *Overbey, Black (HB 1385 by *Harrison, Ferguson, Hawk, Ford)

Mental Illness - As introduced, provides for prescreening agents, physicians, and psychologists to be considered state employees when assessing persons for admission and transportation to involuntary inpatient treatment; establishes a task force to study issues related to transportation of persons to such treatment. - Amends TCA Title 8, Chapter 42, Part 1 and Title 33, Chapter 6, Part 9.

10. *SB 0857 by *Black (HB 1122 by *Maggart)

Aircraft and Airports - As introduced, provides a mechanism for an airport authority or regional airport authority to be dissolved. - Amends TCA Title 42.

(Regular Calendar cont.)

11. *SB 1570 by *Ketron (HB 1535 by *McCormick)

Tax Assessors and Collectors - As introduced, specifies that division of property assessments has right to intervene in contested cases before the state board of equalization; specifies persons who are authorized to represent the assessor. - Amends TCA Section 67-1-202 and Section 67-5-1514.

12. SB 1749 by *Marrero B, Ketron (*HB 1285 by *Odom, Windle, Bass, Cobb J, Shaw, Jones U, Yokley)

Insurance, Health, Accident - As introduced, authorizes retired state employees to participate in the dental insurance plan offered to state employees, subject to the retiree paying the cost of participation in the plan. - Amends TCA Section 8-27-201.

13. *SB 1753 by *Marrero B (HB 1413 by *Kernell, Jones U, Cooper B, Coley, Hardaway)

Alcoholic Beverages - As introduced, revises the present requirements for an historic interpretive center, which applies to the Center for Southern Folklore in Memphis, to no longer have the location of the center being in a restored theater but instead place the location of the center in an historic area where structures listed on the national register of historic places are located. - Amends TCA Section 57-4-102.

14. *SB 1955 by *Ketron (HB 1720 by *Carr, Tidwell)

Alcoholic Beverages - As introduced, provides that manufacturing of intoxicating liquors is allowed in counties that have approved retail package sales and liquor-by-the-drink sales through voter referendum; requires manufacturer to obtain appropriate licenses. - Amends TCA Section 57-2-103.

15. *SB 1979 by *Watson (HB 2058 by *Favors)

Naming and Designating - Names Chattanooga Tennessee National Guard Armory in honor of the late CSM Bobby G. Davis, Tennessee Army National Guard, Retired. -

16. SB 1992 by *Johnson, Ketron (*HB 1778 by *Casada, Fincher, Cobb J, Evans, Carr, Hardaway, Todd, Dean, Hensley, Swafford, Rich, Hill, Campfield, Niceley, Lundberg, Johnson P, Halford, Lynn, Coley, Cobb T, Cobb C, Johnson C, McCormick, Watson, Brooks H, Maggart, Floyd, Bell)

Firearms and Ammunition - As introduced, prohibits confiscations of lawfully possessed firearms and ammunition during periods of martial rule; clarifies firearm and ammunition restriction prohibitions during any state of emergency, major disaster, or natural disaster. - Amends TCA Title 58, Chapter 1, Part 1 and Title 58, Chapter 2, Part 1.

17. *SB 2042 by *McNally (HB 1985 by *Fitzhugh)

Auditing - As introduced, requires that certain meetings of an audit committee abide by public notice and public meeting provisions; authorizes confidential meetings in certain circumstances; classifies certain audit-related documents as confidential. - Amends TCA Title 10, Chapter 7, Title 9, Chapter 3 and Title 4, Chapter 3.

18. SB 2095 by *Marrero B (*HB 2136 by *Hackworth, Jones S, DeBerry L)

Health Care - As introduced, requires physicians to notify department of children's services when treating an infant addicted to alcohol or controlled substances; directs department to monitor such children. - Amends TCA Title 37, Chapter 5 and Title 68.

19. SB 2133 by *Woodson, Gresham, Ketron, Henry (*HB 2146 by *Harwell, Pruitt, Weaver)

Schools, Charter - As introduced, expands definition of chartering authority to include the state board of education; provides for open enrollment charter schools; lifts caps on number of charter schools. - Amends TCA Title 49, Chapter 13.

20. SB 2182 by *Beavers (*HB 2201 by *Bone)

Real Estate Agents and Brokers - As introduced, clarifies that it is an offense if a person offering or conducting real estate classes represents to a student assurance of passing an examination given by the commission; limits the present Class C misdemeanor penalty to a fine only. - Amends TCA Title 62, Chapter 13.

21. SB 2186 by *Faulk (*HB 1841 by *Niceley)

Political Parties - As introduced, urges the state executive committees of each statewide political party to jointly establish a calendar of appearances in each county enabling their respective gubernatorial candidates to appear together during the time between the primary and general elections. - Amends TCA Title 2, Chapter 13, Part 1.

22. SB 2224 by *Faulk (*HB 2166 by *Faulkner, Rich, Harrison, Dennis, Hill, Halford, Kelsey, Lollar)

Railroads - As introduced, requires POST commission to establish standards for certification of railroad police officers. - Amends TCA Title 38, Chapter 8 and Title 65, Chapter 6.

(Regular Calendar cont.)

- 23. SB 2240 by *Kyle, Tate (*HB 2304 by *Shepard, Turner M)**
Insurance Companies, Agents, Brokers, Policies - As introduced, requires insurance companies to annually file with the commissioner of commerce and insurance a statement providing information concerning the insurers' market conduct for the reporting year; requires the commissioner to promulgate rules prescribing manner in which such statements are to be filed. - Amends TCA Title 56, Chapter 8.
- 24. SB 2288 by *Kyle, Finney L (*HB 2330 by *Harmon, Turner M)**
Motor Vehicles - As introduced, requires department of safety to maintain records concerning convictions, disqualifications, and other licensing actions involving persons who hold a commercial driver license; requires the department to issue driver licenses and photo identifications that comply with the federal REAL ID Act; revises several other provisions regarding motor vehicles and motor carriers. - Amends TCA Title 5.
- 25. *SB 0066 by *Bunch, Gresham (HB 0516 by *Matheny)**
Criminal Offenses - As introduced, creates theft offense of making false statement or concealment of material fact for purpose of obtaining accommodation in housing project of a housing authority or for paying less rent than required for such dwelling. - Amends TCA Title 39, Chapter 11, Part 1 and Title 39, Chapter 14, Part 1.
- 26. *SB 0286 by *Black (HB 0843 by *Johnson C)**
Insurance, Life - As introduced, authorizes a charitable organization to pay a commission to a person as a result of charitable gift annuity transaction under specified circumstances. - Amends TCA Title 56, Chapter 52.
- 27. SB 0476 by *Berke, Marrero B (*HB 0069 by *Fincher, Hardaway)**
Witnesses - As introduced, prohibits a party in a divorce proceeding from testifying against the party's incapacitated or mentally incompetent spouse. - Amends TCA Title 24, Chapter 1.
- 28. SB 1092 by *Stanley, Black (*HB 0950 by *Lynn)**
Hotels and Restaurants - As introduced, prohibits the commissioner of health, and any county or metropolitan board of health or political subdivision, from enacting an ordinance or issuing any rule or regulation pertaining to the provision of food nutritional information at food service establishments. - Amends TCA Section 68-14-303.
- 29. *SB 1109 by *Stewart (HB 1251 by *Curtiss)**
Insurance Companies, Agents, Brokers, Policies - As introduced, permits lapsed public adjuster license to be reissued if application for renewal occurs within 18 months, instead of 12 months, of original date of expiration. - Amends TCA Title 56.
- 30. SB 1158 by *Finney L (*HB 1297 by *Maddox)**
Taxes, Real Property - As introduced, redefines "person entitled to redeem property" to include only persons who on the date of the tax sale own a legal or equitable interest in the property sold at the tax sale. - Amends TCA Section 67-5-2701.
- 31. SB 1413 by *Ketron, Black (*HB 1249 by *Curtiss)**
Contractors - As introduced, authorizes the board for licensing contractors, in circumstances deemed appropriate by the board, to delay issuing a license for a period longer than six months to a person who engages or offers to engage in contracting without a license. - Amends TCA Title 62, Chapter 6.
- 32. *SB 1446 by *Haynes (HB 1560 by *West, Moore)**
Teachers, Principals and School Personnel - As introduced, affords teachers in Davidson County a hearing if such teachers are suspended from duty. - Amends TCA Section 49-5-512.
- 33. SB 1502 by *Burchett (*HB 1202 by *McCord)**
Traffic Safety - As introduced, prohibits entering into or modifying existing contracts for installation of surveillance cameras if revenues from traffic fines are shared with company; and extends traffic signals' yellow light at intersections with surveillance cameras to five seconds. - Amends TCA Title 6; Title 7 and Title 55.
- 34. *SB 1543 by *Burchett, Ketron (HB 1813 by *Odom, Harwell)**
Taxes, Real Property - As introduced, authorizes all political subdivisions of the state and any other state or local governmental entities that are authorized to assess taxes on real property to sell their tax receivables. - Amends TCA Section 67-5-2012.

(Regular Calendar cont.)

35. *SB 1587 by *Johnson (HB 1519 by *Sargent)

Gambling - As introduced, provides that it does not constitute offense of possessing gambling device or record if devices are possessed in this state for the sole purpose of transporting for use outside the state. - Amends TCA Title 39, Chapter 17.

Message Calendar

1. *SB 0944 by *Overbey, Ketron, Faulk, Yager, Stanley (HB 1549 by *Casada, Shepard, McDaniel, Bone, Shipley, McCord, Sargent, Eldridge, Johnson P, Carr, Maggart, Weaver, Hensley, Fincher, Winningham, Tidwell, Bass, Matheny, Montgomery, Johnson C, Watson, Litz, Turner M, Faulkner, Shaw, Stewart, Niceley)

Wine, Wineries - As introduced, revises "Grape and Wine Law" based on a Sixth Circuit U.S. Court of Appeals decision including allowing out-of-state wineries to be licensed. - Amends TCA Title 57, Chapter 3, Part 2.

2. *SB 1168 by *Finney L, Stanley, Barnes, Gresham, Marrero B, Overbey, Ford, O. (HB 1228 by *Fitzhugh, Maddox, Lollar, Lundberg, Yokley)

Criminal Offenses - As introduced, creates Class B misdemeanor for improper wearing of military decorations or falsely representing that one has been awarded military decorations. - Amends TCA Title 39, Chapter 14 and Title 58, Chapter 1.

3. SB 1393 by *Johnson (*HB 1286 by *Casada)

Charitable Solicitations - As introduced, excludes nursing homes from the charitable solicitation statute. - Amends TCA Title 48.

4. *SB 1517 by *Burchett, Ford, O., Marrero B, Black, Burks (HB 1527 by *Brooks H, Hardaway)

Autopsies - As introduced, creates Class A misdemeanor offense for unauthorized dissemination of autopsy materials. - Amends TCA Title 38 and Title 39.

5. *SB 1559 by *Burchett, Yager, Marrero B, Berke, Herron, Burks, Woodson, Ford, O. (HB 1628 by *McCord, Ferguson)

Solid Waste Disposal - As introduced, requires the Solid Waste Disposal Control Board to promulgate revised rules relating to the disposal and recycling of coal ash. - Amends TCA Title 68, Chapter 211.

6. *SB 1623 by *Beavers, Ford, O. (HB 1876 by *Matheny)

Consumer Protection - As introduced, excludes prepaid cards that are usable with multiple, unaffiliated sellers of goods or services and/or ATM machines from the gift certificate statute. - Amends TCA Title 47, Chapter 18, Part 1.

7. *SB 1714 by *Overbey, Marrero B, Finney L, Burks (HB 1679 by *Maddox, Favors, Hardaway)

Children - As introduced, expands the facilities where infants can be voluntarily delivered to include law enforcement, fire, and emergency medical services facilities. - Amends TCA Section 68-11-255.

8. *SB 1917 by *Berke (HB 1558 by *Dean)

Purchasing - As introduced, authorizes the purchase of secondhand items by local governments as long as the general range of value of the item is documented through a listing in a recognized publication or through an appraisal and the price is no more than 10 percent of the documented range. - Amends TCA Section 12-3-1003.

SENATE CONVENES AT 9:00 A.M., THURSDAY, MAY 7, 2009

HOUSE

COMMITTEE REPORTS

CHILDREN & FAMILY AFFAIRS – HHR #16 – 8:30 a.m. –

Failed – HB 362.

Action def. – HB's 677, 637, 2372, 459, 33, 686, HJR 369, HB's 327, 332, 1298, 1301, 1383, 829, 2295.

EDUCATION – HHR #16 – 11:00 a.m. –

Rec. for pass. – HB's 1823, 881, 1515, 1648, 1866, 1867.

Rec. for pass. if am. – HB's 896, 1104, 715, 1531, 1560, 1643.

Action def. – HB's 1825, 2028, 1860, 777.

Taken off notice – HB 1647.

GOVERNMENT OPERATIONS – HHR #29 – 10:00 a.m. & HHR #30 – 2:30 p.m. –

Rec. for pass., ref to C&R – HB's 1512, 230, 1015, 1098.

Rec. for pass. if am., ref to C&R – HB's 997, 1039, 1081, 1083, 1092.

Rec. for pass., ref to FW&M – HB's 2141, 1892, 852.

Action def. – HB's 1204, 792, 738, 1273, 991, 999, 1815.

Taken off notice – HB's 1125, 1073.

JUDICIARY – HHR #31 – 8:30 l.m. –

Rec. for pass., ref to C&R – HB's 1429, 2034, 1407, 1153, 435, 2325, 1796.

Rec. for pass. if am., ref to C&R – HB's 2189, 619, 1545, 1277, 325, 736, 1209, 1781, 1736, 583, 2249.

Rec. for pass., ref to FW&M – HB's 606, 607, 2193, 612, 666, 1953, 1302, 919.

Rec. for pass. if am., ref to FW&M – HB's 925, 238, 969, 714, 27, 898.

Rec. for pass. if am., ref to Govt. Ops. – HB 386.

Rec. for adopt., ref to C&R – HJR 379.

Rec. for adopt. if am., ref to C&R – HJR 53.

Rec. for adopt. if am., ref to FW&M – HJR 75.

Action def. – HB's 1258, 1257, 1354, 2099, 932, 1212, 1394, 1379, 335, 1120, 346, 1385, 1579, 1762, 1267, , 1795, 391, 589, 590, 591, 597, 1449, 1454, 1450.1210, 724, 1837, 1348, 403, 1432, 887, 1747, 1430.

Taken off notice – HB's 1786, 1440, 1446, 1547.

SUBCOMMITTEE REPORTS

BUDGET – HHR #29 – 11:00 a.m. –

Rec. for pass. – HB's 2364, 2308, 2037, 1996, 2194, 1673, 1629, 467, 2376, 1155, 1263, 1347, 214.

Rec. for pass. if am. – HB's 1501, 351, 1448.

Action def. – HB 1833, HJR 113, HB's 92, 1246, 1998, 1517, 1760, 2389, 348, HJR 83, 1909, 2124, 518, 1947, 1543, 1278, 1484, 614, 2264, 290, 206, 474, 1943, 963, 297.

Taken off notice – HB's 39, 132, 223.

Behind the Budget – HB's 2198, 241, 264.

CIVIL PRACTICE & PROCEDURE – HHR #31 – 2:00 p.m. –

Rec. for pass. – HB's 1453, 2284.

Rec. for pass. if am. – HB's 1479, 2233, 2299, 1707, 2296, 1637, 1598.

Rec. for adopt. if am. – HJR 104.

Failed – HB 2377.

Action def. – HB's 1576, 317, HJR 103, HB's 2000.

Taken off notice – HB's 2232, 2236, 2237, 2315, 1150, 664, 1151.

CRIMINAL PRACTICE & PROCEDURE – HHR #31 – 12:00 noon –

Rec. for pass. – HB 1700.

Action def. – HB's 1801, 1805, 1806, 1807, 1808, 1809.

INDUSTRIAL IMPACT – HHR #30 – 10:00 a.m. –

Rec. for pass. – HB's 1703, 1907.

Rec. for pass. if am. – HB's 2289, 2362, 1249.

Action def. – HB's 2201, 276, 272, 1562, 381, 2105.

(Subcommittee Reports cont.)

K-12 – HHR #16 – 10:00 a.m. & HHR #16 – 1:30 p.m. –

Rec. for pass. – HB's 549, 1868, 1873.

Rec. for pass. if am. – HB's 2146, 885, 1393, 983, 1525.

Rec. for adopt. – HJR 308.

Failed – HB's 795, 2164.

Action def. – HB's 2087, 1507, 15, 952, 599, 816, 1739, 1865, 1873, 797.

Taken off notice – HB's 2148, 552, 553, 1425, 1509, 1364, 947, 2298, 967, 1175

LOCAL GOVERNMENT – HHR #29 – 2:30 p.m. –

Rec. for pass. – HB's 2175, 1587, 938, 1976, 1928, 1196, 1688, 1542, 1933, 1633, 309.

Rec. for pass. if am. – HB's 1813, 1779, 2166, 1705, 1702, 1921, 2095, 2360.

Failed – HB 96.

Action def. – HJR 700, HB's 1139, 21, 22, 799, 2395, 2401.

Taken off notice – HB's 1458, 1577, 2176, 1950, 1740, 1478, 2354, 2355, 2356.

STATE GOVERNMENT – HHR #29 – 8:30 a.m. –

Rec. for pass. – HB's 1692, 129, 592, 1662, 2101, 506, 746.

Rec. for pass. if am. – HB's 2238, 1578, 196.

Rec. for adopt. – HJR 382.

Failed – HB 2093.

Action def. – HB's 40, 1414, 2349, 825, 78, 2156, 739, 740, 741, 743, 1529, 52, 243, 252, 265, 388, 652, 653, 697, 732, 801, 813, 818, 906, 907, 1185, 1241, 1289, 1400, 1411, 1537, 1691, 1711, 1755, 2001, 2003, 2010, 2049, 2055, 2150, 2191, HJR's 17, 125, 138, SJR 14.

Taken off notice – HB's 2260, 382, 23, 224, 2147, 1513, 239, 333, 851, 11, 257, 260, 424, 501, 504, 505, 507, 524, 573, 671, 674, 757, 758, 759, 895, 946, 1198, 1339, 1714, 1733, 1901, 1944, 1954, 2011, 2021, 2088, 2184, HJR 77.

STUDY COMMITTEE – HHR #29 – 1:30 p.m. –

Rec. for pass. – HB's 529, 1972.

Rec. for pass. if am. – HB 50.

Rec. for adopt. if am. – HJR's 4, 119.

Action def. – HB's 1745, 131, HJR 76, HB 2199, HJR 32, HB 687.

Taken off notice – HJR 115.

COMMITTEE CALENDAR FOR THURSDAY, MAY 7, 2009

CALENDAR & RULES – HHR #16 – 8:00 a.m. –

HB's 5, 219, 220, 581, 356, 493, 618, 1557, 2344, HJR 286, HB's 1725, 1541, 867, 1840, 1370, 2366, 2312, SJR 127, HB's 360, 670, 516, 280, 1285, 993, 1001, 1005, 1031, 1035, 1051, 1052, 1058,, 1064, 1066, 1068, 1069, 1100, 1044, 1047.

CALENDARS FOR THURSDAY, MAY 7, 2009

Consent

1. HR 0093 by *Hawk

Memorials, Professional Achievement - Bernice Jozsa, 2009 Greene Valley Developmental Center Employee of the Year - The Abstract summarizes HR0093 as introduced.

2. HR 0094 by *Hawk

Memorials, Recognition - Vicie Motz, Tennessee Justice Center Mother of the Year - The Abstract summarizes HR0094 as introduced.

3. HR 0095 by *Shipley, Lundberg, Halford, Mumpower

Memorials, Recognition - Kingsport Ballet, 20th anniversary - The Abstract summarizes HR0095 as introduced.

4. HJR 0423 by *Cooper B

Memorials, Interns - Tamara Farrington-Nichols - The Abstract summarizes HJR0423 as introduced.

(Consent Calendar cont.)

5. HJR 0424 by *Cooper B

Memorials, Interns - Matthew Riley - The Abstract summarizes HJR0424 as introduced.

6. HJR 0425 by *Harrison, Ford

Memorials, Academic Achievement - Ashlee Lyn Gilliam, Top Ten, Volunteer High School - The Abstract summarizes HJR0425 as introduced.

7. HJR 0426 by *Harrison, Ford

Memorials, Academic Achievement - Patrick Bryon Cox, Jr., Top Ten, Volunteer High School - The Abstract summarizes HJR0426 as introduced.

8. HJR 0427 by *Harrison, Ford

Memorials, Academic Achievement - Daysie V. Rich, Top Ten, Volunteer High School - The Abstract summarizes HJR0427 as introduced.

9. HJR 0428 by *Harrison, Ford

Memorials, Academic Achievement - Casey Davis, Top Ten, Volunteer High School - The Abstract summarizes HJR0428 as introduced.

10. HJR 0429 by *Harrison, Ford

Memorials, Academic Achievement - Stephanie Vaughn, Top Ten, Volunteer High School - The Abstract summarizes HJR0429 as introduced.

11. HJR 0430 by *Harrison, Ford

Memorials, Academic Achievement - Kacey Bowling, Top Ten, Volunteer High School - The Abstract summarizes HJR0430 as introduced.

12. HJR 0431 by *Harrison, Ford

Memorials, Academic Achievement - Chelsea Padgett, Top Ten, Volunteer High School - The Abstract summarizes HJR0431 as introduced.

13. HJR 0432 by *Harrison, Ford

Memorials, Academic Achievement - Amanda West, Top Ten, Volunteer High School - The Abstract summarizes HJR0432 as introduced.

14. HJR 0433 by *Harrison, Ford

Memorials, Academic Achievement - Melinda Pierce, Top Ten, Volunteer High School - The Abstract summarizes HJR0433 as introduced.

15. HJR 0434 by *Harrison, Ford

Memorials, Academic Achievement - Ashley Head, Top Ten, Volunteer High School - The Abstract summarizes HJR0434 as introduced.

16. HJR 0435 by *Sontany, Pruitt, Gilmore, Moore, Jones S, Odom, Turner M, Stewart, Harwell

Memorials, Recognition - Brenda Lee, Lifetime Achievement Award - The Abstract summarizes HJR0435 as introduced.

17. SJR 0354 by *Herron, Henry, Finney L, Marrero B, Jackson, Berke, Norris, Ford, O., Kyle

Memorials, Public Service - Congressman John Tanner - The Abstract summarizes SJR0354 as introduced.

18. SJR 0355 by *Barnes

Memorials, Academic Achievement - Rebecca Lampley, Valedictorian, Sycamore High School - The Abstract summarizes SJR0355 as introduced.

19. SJR 0383 by *Finney L

Memorials, Recognition - Craig C. Christina - The Abstract summarizes SJR0383 as introduced.

20. SJR 0392 by *Burchett, Ramsey, Barnes, Beavers, Berke, Black, Bunch, Burks, Crowe, Faulk, Finney L, Ford, O., Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Ketron, Kyle, Marrero B, McNally, Norris, Overbey, Southerland, Stanley, Stewart, Tate, Tracy, Watson, Yager

Memorials, Personal Occasion - Teddy Phillips, 50th birthday - The Abstract summarizes SJR0392 as introduced.

Regular

1. **HB 1917 by *Brooks H (*SB 2030 by *Burchett, Barnes, Beavers, Berke, Black, Bunch, Burks, Crowe, Faulk, Finney L, Ford, O., Gresham, Harper, Haynes, Herron, Jackson, Johnson, Ketron, Kyle, Marrero B, McNally, Overbey, Ramsey, Southerland, Stanley, Stewart, Tate, Tracy, Watson, Woodson)**
Education - As introduced, requires the department of education to explore with the Tennessee congressional delegation and the United States department of education modification of No Child Left Behind determination of who is a dropout for students who receive a GED and pass Gateway examinations or have good scores on the ACT. - Amends TCA Title 49.
2. ***HB 0806 by *Campfield, Hardaway (SB 1253 by *Bunch)**
Child Custody and Support - As introduced, authorizes court costs and attorney's fees, along with previously made child support payments, be awarded to a man who is determined not to be the father of such child. - Amends TCA Title 36, Chapter 2, Part 3.
3. ***HB 2321 by *Brown, Turner M, Gilmore (SB 2312 by *Kyle, Burks)**
Education - As introduced, removes requirement of passage of the Tennessee comprehensive assessment program tests in order to receive a full diploma; provides for end-of-course assessments; revises lottery scholarship day provisions. - Amends TCA Title 49.
4. **HB 1534 by *Dean, Harmon, Bass (*SB 0310 by *Berke)**
Bail, Bail Bonds - As introduced, removes requirement that a list of bondsmen posted in a correctional facility must be done in order of seniority. - Amends TCA Section 40-11-126(b). - The Abstract summarizes HB1534 as introduced.
5. ***HJR 0245 by *Niceley, Bone, McDaniel, Bass, Litz, Shaw, Weaver, Halford, Ford , Faulkner, Borchert**
Memorials, Congress - Expresses opposition to federal legislation prohibiting the transporting and processing of horses. - The Abstract summarizes HJR0245 as introduced.
6. ***HB 2278 by *Shaw, Turner M (SB 2234 by *Kyle)**
Hospitals and Health Care Facilities - As introduced, extends expiration date of the tax on the gross receipts of ICFMRs from July 15, 2009, to July 15, 2011. - Amends TCA Section 68-11-830. - The Abstract summarizes HB2278 as introduced.
7. **HB 2220 by *Stewart (*SB 2153 by *Haynes)**
Criminal Procedure - As introduced, authorizes use of fingerprint as form of acknowledgment in lieu of, or in addition to, a person's signature for citations and certain other notices and documents. - Amends TCA Title 7, Chapter 63; Title 16, Chapter 1; Title 40, Chapter 7 and Title 55, Chapter 50.
8. ***HB 2292 by *Turner M (SB 2253 by *Kyle, Berke, Ford, O.)**
Education - As introduced, requires expulsion for one year of student who commits "aggravated assault" instead of "battery" upon any teacher, principal, administrator, any other employee of an LEA, or school resource officer. - Amends TCA Section 49-6-3401. - The Abstract summarizes HB2292 as introduced.
9. ***HJR 0323 by *McDaniel**
General Assembly, Statement of Intent or Position - Expresses sense that United States and Tennessee should combat global climate change through the adoption of a fair and effective approach that safeguards American jobs, ensures affordable energy for America, and maintains America's global competitiveness. - The Abstract summarizes HJR0323 as introduced.
10. ***HB 0446 by *Maddox (SB 1779 by *Herron)**
Education, Higher - As introduced, permits public higher education employees to contract with the employing institution under certain circumstances. - Amends TCA Title 8; Title 12 and Title 49.
11. **HB 1983 by *Fitzhugh (*SB 2045 by *McNally, Henry, Burchett)**
Public Funds and Financing - As introduced, authorizes the state funding board to cancel certain bonds that were authorized to be issued. -
12. **HB 1985 by *Fitzhugh (*SB 2042 by *McNally)**
Auditing - As introduced, requires that certain meetings of an audit committee abide by public notice and public meeting provisions; authorizes confidential meetings in certain circumstances; classifies certain audit-related documents as confidential. - Amends TCA Title 10, Chapter 7, Title 9, Chapter 3 and Title 4, Chapter 3.

(Regular Calendar cont.)

13. HB 1143 by *Brooks H (*SB 0771 by *Woodson)

Lottery, Scholarships and Programs - As introduced, clarifies requirements for provisional receipt of a HOPE scholarship. - Amends TCA Title 49, Chapter 4, Part 9.

14. *HB 1106 by *DeBerry J, Cooper B (SB 1213 by *Finney L, Burks, Berke, Marrero B)

Public Contracts - As introduced, requires the department of health to reimburse residential homes for the aged for each resident whose income does not exceed \$800 per month and whose income is limited to SSI benefits. - Amends TCA Title 12, Chapter 4, Part 3.

15. *HB 0431 by *Bell, Weaver, Evans, Carr, Dean, Floyd (SB 0433 by *Bunch, Gresham, Johnson, Beavers, Ketron, Woodson, Yager, Black, Faulk, Ford, O., Tracy)

Schools, Home - As introduced, requires that diplomas issued by home schools be recognized by all state and local governmental entities as having the same rights and privileges of diplomas issued by public school systems. - Amends TCA Title 1, Chapter 3.

16. HB 1245 by *Curtiss (*SB 0881 by *Ketron)

Water Pollution - As introduced, expands the authority of the water quality control board concerning incentives for alternatives to discharges to surface waters. - Amends TCA Title 69, Chapter 3, Part 1.

17. *HB 0151 by *Hensley (SB 0224 by *Stanley)

Food and Food Products - As introduced, requires both hot and cold water in sinks provided for food service employees.

- Amends TCA Title 53. - The Abstract summarizes HB0151 as introduced.

18. *HB 0321 by *Jones S (SB 0855 by *Black, Marrero B, Burks)

Children and Youth, Commission on - As introduced, requires the department of children's services central office to review the actions of the department when requested to do so by a foster parent who believes that the department has failed to follow the foster parents bill of rights and such failure has harmed or could harm a child. - Amends TCA Section 37-2-415.

19. *HB 1201 by *Pitts, Tindell (SB 1666 by *Finney L, Overbey)

Child Abuse - As introduced, redefines the offense of child endangerment to be when a parent or custodian of a child eight years of age or less knowingly exposes such child to or knowingly fails to protect such child from abuse or neglect resulting in physical injury to the child. - Amends TCA Title 37, Chapter 1; Title 39, Chapter 11 and Title 39, Chapter 15.

20. HB 0522 by *Rich, Shipley, Faulkner (*SB 0388 by *Gresham, Overbey)

Criminal Offenses - As introduced, provides that escaping from the lawful custody of a law enforcement officer constitutes the offense of escape the same as escaping from a penal institution. - Amends TCA Title 39, Chapter 16, Part 6.

21. HB 1631 by *Richardson, Jones U (*SB 1339 by *Tate, Marrero B)

Motor Vehicles - As introduced, increases from five to 10 years the minimum age of an abandoned vehicle that can be destroyed without title and notification of last owner of record and lienholders. - Amends TCA Title 55. - The Abstract summarizes HB1631 as introduced.

22. HJR 0116 by *Brooks H

Naming and Designating - "Fred B. Corum Regional Administration Building," TDOT Complex in Knoxville. - The Abstract summarizes HJR0116 as introduced.

23. *HJR 0277 by *Brooks H, Williams, Montgomery, Litz

General Assembly, Statement of Intent or Position - Reaffirms sister-state relation between Taiwan and the State of Tennessee and expresses support for Taiwan's efforts at joining in a free trade agreement with the United States and the World Health Organization. - The Abstract summarizes HJR0277 as introduced.

24. HB 1698 by *McCormick, Turner M, Jones U, McDaniel, Fitzhugh, Harwell, Casada, Harmon, Sargent, Roach, Lynn, Johnson P, Lundberg, Jones S, Shepard, Cobb T, McCord, Pitts, Rich, Johnson C, Coley, Turner L, Gilmore, Cobb C, Shaw, Camper, Cooper B, Carr, Dennis, Lollar (*SB 1954 by *Stanley, Stewart, Beavers, Burchett, Ketron, Harper, Johnson, Tracy, Norris, Tate, Ford, O.)

Telecommunications - As introduced, enacts the "Market Regulation Act of 2009." - Amends TCA Section 65-5-109.

(Regular Calendar cont.)

25. HB 1535 by *McCormick (*SB 1570 by *Ketron)

Tax Assessors and Collectors - As introduced, specifies that division of property assessments has right to intervene in contested cases before the state board of equalization; specifies persons who are authorized to represent the assessor. - Amends TCA Section 67-1-202 and Section 67-5-1514.

26. HB 1832 by *Turner M, Todd, Jones U, Moore, Watson, Brooks H, Dean, Rich, Faulkner, Matheny, Miller L, Cobb T, Dunn (*SB 0523 by *McNally, Gresham)

Evidence - As introduced, creates privileged communication between critical incident stress management team members participating in crisis intervention. - Amends TCA Title 24, Chapter 1, Part 2.

27. *HB 1091 by *Lynn, Kernell, Cobb J (SB 1035 by *Johnson)

Sunset Laws - As introduced, extends department of correction, June 30, 2010. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3.

Message

1. *HB 0218 by *Fincher, Hardaway, Hackworth, Dean (SB 0913 by *Burks)

Criminal Offenses - As introduced, requires certain actions by buyers and dealers of scrap jewelry and metal and makes a violation of such requirements a Class A misdemeanor. - Amends TCA Title 38, Chapter 1, Part 2.

2. *SB 0335 by *Johnson, Ford, O. (HB 0996 by *Lynn, Kernell, Cobb J)

Sunset Laws - As introduced, extends board of social work licensure, June 30, 2016. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 23.

3. *HB 0962 by *Todd, McCord, Tindell, Evans, Fincher, Watson, Faulkner, Eldridge, Rowland, McCormick, Bass, Hackworth, Cobb C, Carr, Matheny, Mumpower, Floyd, Bell, Lollar, Casada, Rich, Lynn, Harrison, Shipley, Dean, Johnson C, Johnson P, Niceley, Tidwell, Shepard, Hill, Ramsey, Halford, Haynes, Swafford, Maggart, Hensley, West, Montgomery, Dennis, Brooks H, Matlock, Dunn, Hawk, Lundberg, Weaver, Roach, Ford, Moore, Fraley (SB 1127 by *Jackson, Norris, Gresham)

Firearms and Ammunition - As introduced, allows person with handgun carry permit to carry in restaurants that serve alcoholic beverages as long as such person is not consuming alcoholic beverages and such restaurant is not an age-restricted venue. - Amends TCA Title 39, Chapter 17.

HOUSE CONVENES AT 9:00 A.M., THURSDAY, MAY 7, 2009